

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DAVID GONZALEZ,

Plaintiff,

—against—

BAM TRADING SERVICES, INC., d/b/a
BINANCE US, a Delaware corporation;

BINANCE HOLDINGS, LTD., d/b/a
BINANCE, a foreign company;

CHANGPENG ZHAO;

JOHN DOES 1-100 (fictitious names); and
XYZ CORP, INC. 1-100 (fictitious names),

Defendants.

Case No. 2:24-cv-08521-BRM-CLW

DECLARATION OF ALEJANDRO CHÁVEZ ALOR

1. I am Senior Legal Counsel at defendant Binance Holdings Ltd. (“BHL”), which is a holding company registered as an exempt company in the Cayman Islands, part of a wider group of companies involved in the operation of a cryptocurrency exchange, www.binance.com, that bars activity by U.S. based persons. I submit this declaration in connection with BHL’s opposition to the motion of the plaintiff, David Gonzalez, for a preliminary injunction. My declaration will address Mr. Gonzalez’s allegations about service of certain legal papers on BHL. The statements made in this declaration are based on my personal knowledge.

2. As I explain below, Mr. Gonzalez has filed affidavits claiming to have served legal papers on BHL in New Jersey or Florida, but the papers were left with people having no affiliation with, or authority to act for, BHL.

3. It appears that Mr. Gonzalez has tried to serve BHL by means that relate instead to defendant BAM Trading Services, Inc. (“BAM”), a U.S.-based company that operates a separate cryptocurrency exchange, www.binance.us, for U.S. customers (who, as mentioned, are

barred from utilizing BHL's exchange platform). Mr. Gonzalez suggests that that the two companies should be treated as one because, he alleges, they are "alter egos" of one another. This is untrue. The two companies are separate corporate entities.

The Attempted Service of Process on BHL

4. I have reviewed three affidavits of service claiming to have served BHL with legal papers in this case, as follows:

Service Date	Documents Served	Person Served	ECF
Aug. 19, 2024	"Order (Proposed), Declaration, Order To Show Cause, Memorandum Of Law, Preliminary Statement, Verified Complaint, Civil Cover Sheet, Exhibits"	Johnnie Myers Corporation Service Company Princeton South Corporate Center, Suite 160 100 Charles Ewing Blvd. Ewing, NJ 08638	5
Aug. 21, 2024	"Orders, Memorandum Of Law, Declaration, Civil Cover Sheet, Verified Complaint, Exhibits"	Johnnie Myers Corporation Service Company Princeton South Corporate Center, Suite 160 100 Charles Ewing Blvd. Ewing, NJ 08638	7
Aug. 21, 2024	"Orders"	Ricardo Curiel 252 NW 29th St., 9th Fl. Miami, FL 33127	10

5. None of Mr. Myers, Corporation Service Company, or Mr. Curiel was or is an agent or employee of BHL or authorized to accept service of process on its behalf. BHL is a Cayman Islands registered company with no offices in the United States. BHL has never been registered to do business in New Jersey, Florida or any other U.S. state.

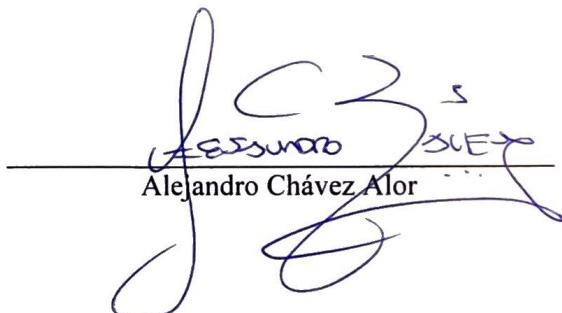
6. It is my understanding that BAM has an office at the address in Florida where service was attempted, and, as I understand it, BAM is also registered to do business in New Jersey, with Corporation Service Company as its registered agent there. However, BHL does not

operate, have employees, or have registered agents at either address where service was attempted.

7. Serving papers on BAM should not be understood as serving papers on BHL because the two are separate companies. BHL and BAM have separate boards of directors, separate management, and separate finances. BHL does not exercise control over BAM's day-to-day operations and affairs (or vice versa).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: September 12, 2024



A handwritten signature in black ink, appearing to read "ALEJANDRO CHÁVEZ ALOR". Above the signature, there is some smaller, illegible handwriting. Below the signature, the name "Alejandro Chávez Alor" is printed in a clear, sans-serif font.